

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2009 DEC -7 PM 3:52

JEANNE HOGG, CLERK

BY: B. Hamilton

1 Larry A. Hammond, 004049
2 Anne M. Chapman, 025965
3 OSBORN MALEDON, P.A.
4 2929 N. Central Avenue, 21st Floor
Phoenix, Arizona 85012-2793
(602) 640-9000
5 lhammond@omlaw.com
achapman@omlaw.com

6 John M. Sears, 005617
7 P.O. Box 4080
Prescott, Arizona 86302
8 (928) 778-5208
John.Sears@azbar.org

9 Attorneys for Defendant

10
11 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
12 IN AND FOR THE COUNTY OF YAVAPAI

13 STATE OF ARIZONA, } No. P1300CR20081339
14 Plaintiff, } Div. 6
15 vs. }
16 STEVEN CARROLL DEMOCKER, } DEFENDANT'S MOTION IN
17 Defendant. } LIMINE TO PRECLUDE THE
USE OF EVIDENCE DISCLOSED
IN VIOLATION OF ARIZONA
RULE OF CRIMINAL
PROCEDURE 15.1 AND THIS
COURT'S ORDERS
19 }

20 Pursuant to Arizona Rules of Criminal Procedure 15 and 16, defendant Steven
21 DeMocker, by and through counsel, hereby moves this Court *in limine* to preclude the
22 State's use of evidence that was in its possession but not timely disclosed pursuant to
23 the deadlines set by Arizona Rule of Criminal Procedure 15.1 and this Court's Minute
24 Entry Orders dated June 3, 2009 and September 22, 2009. This Motion is supported by
25 the Due Process and Eighth Amendment clauses of the United States Constitution and
26 counterparts in the Arizona Constitution, Arizona Rules of Criminal Procedure and the
27 following Memorandum of Points and Authorities.

28

MEMORANDUM OF POINTS AND AUTHORITIES

BACKGROUND

3 On June 3, 2009, this Court issued an Order clarifying a Minute Entry Order
4 entered on May 12, 2009, wherein it made clear that the State's deadline to disclose
5 information pursuant to Rule 15.1 within its possession was June 22, 2009. The Court
6 cited *State v Newell (Milagro)*, 221 Ariz. 112, 210 P.3d 1283 (1 CA-SA 09-0052, Court
7 of Appeals filed June 2, 2009). This was an extension of the deadlines provided for in
8 Arizona Rule of Criminal Procedure 15.1 which set a disclosure date of thirty days after
9 arraignment.¹ As the Court in *Newell* noted, Rule 15.1 "establishes the minimum
10 requirements for discovery." *Id.* The State chose to disregard this Rule and this Court's
11 Orders.

12 During the hearing that took place on September 22, 2009, the Court set an
13 evidentiary hearing on a Motion to Dismiss the Death Notice for Lack of Probable
14 Cause (*Chronis* hearing) on October 20, 2009. At the request of the defense, the Court
15 further set the date for the State's disclosure for this hearing on October 2, 2009. Yet
16 again, the State ignored this Court's Order.

Neither the Court nor the Rules set disclosure deadlines arbitrarily. Arizona Rule of Criminal Procedure 15.1 contemplates the orderly exchange of information and each step of exchange is premised on the completion of the prior step. In fact, Arizona Rule of Criminal Procedure 15.7(c) provides that a party's failure to comply with disclosures as required under the rule excuses the opposing party's disclosure requirement except for evidence which tends to mitigate or negate the defendant's guilt or as ordered by the court. Ariz. R. Crim. P. 15.7(c). ("If a party fails to comply with Rule 15.1 or 15.2 the other party is not required to make any further disclosure except material or information which tends to mitigate or negate the defendant's guilt as to the offense ... or as ordered by the court.")

¹ Mr. DeMocker was last arraigned on an amended indictment on February 10, 2009.

1 The State has not complied with any of the disclosure requirements within the
2 timeline created by Rule 15.1, nor the timeline provided or changed by the Court.

3 Subsequent to the June 22 deadline, the State disclosed to counsel for Defendant the
4 documents and CDs identified in Attachment 1. The documents and CDs disclosed
5 after the October 2, 2009 deadline are identified in Attachment 2.

6 Counsel have repeatedly raised this issue both with the State and with this Court
7 seeking to resolve the issues of late and ongoing disclosure.² The State continues to
8 disclose information to the defense, disclosing over 1500 pages and 15 CDs to the
9 defense on November 24, 2009. The offense for which Mr. DeMocker is charged
10 occurred over 16 months ago and Mr. DeMocker has been in jail for over a year. This
11 case is set to go to trial in May 2010. With a capital trial only four full months away,
12 the State continues to investigate the offense for which they have charged and seek to
13 execute Mr. DeMocker.

14 Rule 15.7 permits the Court to impose any sanction it finds appropriate where a
15 party violates the disclosure required under Rule 15. *See Ariz. R. Crim. P. 15.7(a).* A
16 trial court has broad discretion in fashioning a sanction and will not be found to have
17 abused its discretion “unless no reasonable judge would have reached the same result
18 under the circumstances.” *See State v. Armstrong*, 208 Ariz. 345, 354, 93 P.3d 1061,
19 1070 (2004) (citing *State v. Chapple*, 135 Ariz. 281, 297 n. 18, 660 P.2d 1208, 1224 n.
20 18 (1983)). The trial court must take into account, in determining the appropriate
21 sanction, “the significance of the information not timely disclosed, the impact of
22 the sanction on the party and the victim, and the stage of the proceedings at which
23 the disclosure is ultimately made.” *Ariz. R.Crim. P. 15.7(a)*. The Rule
24 specifically contemplates exclusion use of evidence as a sanction. *Id.* (a)(1). The
25 court “must order disclosure and impose sanctions unless it finds that the failure
26 to disclose was harmless, or could not have been disclosed earlier even with due

27 ² The State also failed to timely notice its intent to seek the death penalty and list of aggravating factors pursuant to
28 Rule 15.1. This Court has excused the State’s prior failures in its ruling denying Defendant’s Motion to Strike
Death Notice based on its failure to timely file the notice and aggravating factors.

1 diligence and the information was disclosed immediately upon discovery.” See
2 *State v Newell (Milagro)*, 221 Ariz. 112, 210 P.3d 1283 (1 CA-SA 09-0052, Court of
3 Appeals filed June 2, 2009).

4 The State has disclosed almost 14,000 pages of disclosure since the initial
5 deadline. Nearly 9,000 pages of disclosure were disclosed after the initial disclosure
6 deadline and over 5,000 pages were disclosed after the second disclosure deadline. CDs
7 of interviews were also disclosed well past these deadlines. The State’s late disclosures
8 include evidence of thousands of pages of bank and other financial records. Bates
9 numbered documents 6826-10174 are financial records that were taken from the
10 victim’s home in July of 2008 but not disclosed until after the initial disclosure
11 deadline. Bates numbered documents 10822-12951 are financial documents taken from
12 the victim’s home in July 2008 but not disclosed until after both deadlines, October 8,
13 2009. Bates numbered documents 10371- 10546 are documents provided by John
14 Casalena to the State in July or August of 2008 but again not provided in compliance
15 with the Rules or Court orders until August of 2009. Bates numbered documents
16 10182-10214 are journals found in Ms. Kennedy’s home in July of 2008 that were not
17 produced until July of 2009, again after the initial disclosure deadline and over a year
18 after being in the State’s possession. Bates number 10235 contains e-mails between
19 Detectives McDormett and Calloway from July and August of 2009 that were not
20 disclosed until November of 2009.

21 CD 6127 is an interview from July 3, 2008 that was not disclosed until
22 November 3, 2009; CD 70 is an October 2008 interview that was not disclosed until
23 after both deadlines, in October of 2009; CD 81 is an interview conducted in August of
24 2008 but not disclosed until after both deadlines, again in October of 2009.

25 Many of the other records that were disclosed after these deadlines were not even
26 sought by the State until after the disclosure deadline was set, even though the initial
27 deadline was almost a full year after the offense for which Mr. DeMocker is charged.
28 This is another consequence against Mr. DeMocker’s Fifth, Sixth and Eighth

1 Amendment and Due Process rights as a result of the State's need to continue to
2 investigate this case even while it seeks the death penalty against Mr. DeMocker.

The defense is not able to review, evaluate and prepare a defense in this death penalty case if the State is permitted to continually thwart the Rules of Criminal Procedure and orders of this Court by late disclosure. "[T]he penalty of death is qualitatively different from a sentence of imprisonment, however long. Death, in its finality, differs more from life imprisonment than a 100-year prison term differs from one of only a year or two." *Woodson v. North Carolina*, 428 U.S. 280, 305 (1976). As a result, the United States Constitution requires that "extraordinary measures [be taken] to insure that the [Accused] is afforded process that will guarantee, as much as is humanly possible, that [a sentence of death not be] imposed out of whim, passion, prejudice, or mistake." *Caldwell v. Mississippi*, 472 U.S. 320, 352 n.2 (1985) (quoting *Eddings v. Oklahoma*, 455 U.S. 104, 118 (1982) (O'Connor, J., concurring)). Indeed, "[t]ime and again the [Supreme] Court has condemned procedures in capital cases that might be completely acceptable in an ordinary case." *Caspari v. Bolden*, 510 U.S. 383, 393 (1994) (quoting *Strickland v. Washington*, 466 U.S. 668, 704-705 (1984) (Brennan, J., concurring in part and dissenting in part)). See also *Kyles v. Whitley*, 514 U.S. 419, 422 (1995) (noting that the Court's "duty to search for constitutional error with painstaking care is never more exacting than it is in a capital case.") (quoting *Burger v. Kemp*, 483 U.S. 776, 785 (1987)). This elevated level of due process applies both to the guilt and penalty phases of the case. *Beck v. Alabama*, 447 U.S. 625, 638 (1980).

22 The late disclosed evidence should be excluded from trial as should all further
23 late disclosed evidence.

CONCLUSION

25 Defendant Steven DeMocker, by and through counsel, hereby moves this Court
26 to preclude all materials in the possession of but not disclosed by the State subsequent

27 | //

28 | //

1 to the deadlines ordered in the Court's Minute Entry Orders dated June 3, 2009 and
2 September 22, 2009.

3 DATED this 4th day of December, 2009.
4

5 By:

John Sears
107 North Cortez Street, Suite 104
Prescott, Arizona 86301

OSBORN MALEDON, P.A.
Larry A. Hammond
Anne M. Chapman
2929 N. Central Avenue, Suite 2100
Phoenix, Arizona 85012-2793

11 Attorneys for Defendant

12 **ORIGINAL** of the foregoing
13 mailed for filing this 4th day
of December, 2009, with:

14 Jeanne Hicks
15 Clerk of the Court
Yavapai County Superior Court
120 S. Cortez
16 Prescott, AZ 86303

17 **COPIES** of the foregoing mailed
this 4th day of December, 2009, to:

18 The Hon. Thomas B. Lindberg
19 Judge of the Superior Court
Division Six
20 120 S. Cortez
Prescott, AZ 86303

21 Joseph C. Butner, Esq.
22 Yavapai County Attorney
23 2830 North Commonwealth Drive, #106
Camp Verde, AZ 86322

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25 
26 2858221
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ATTACHMENT 1

**Materials Disclosed by the State After the June 22, 2009
Deadline Ordered by the Court**

Date Disclosed	Disclosure Supplement	Description	Evidence Item
06-26-09	22 nd Supp.	Bates Nos. 6809-6810 – YCSO Evidence Logs	
06-26-09	22 nd Supp.	Bates Nos. 6811-6814 – Curriculum Vitae of Roger Hoover	
06-26-09	22 nd Supp.	Bates Nos. 6815-6817 – Letter from Bank of America	
06-26-09	22 nd Supp.	Bates Nos. 6818-6825 – Demonstrative GIS Maps	
06-26-09	22 nd Supp.	CD – 8 GIS MAPS	6106
06-26-09	22 nd Supp.	CD – Jay Morgan phone calls (jail)	6108
06-26-09	22 nd Supp.	DeMocker phone calls (jail) (16 disks)	6107
07-06-09	23 rd Supp.	Bates Nos. 6826-6862 – 2003 Tax preparation documents	1207
07-06-09	23 rd Supp.	Bates Nos. 6863-6907 – 2003 Medical Claims Flexible Spending Account	1207
07-06-09	23 rd Supp.	Bates Nos. 6908-7039 – AG Edwards Expense Account & Receipts 2002	1207
07-06-09	23 rd Supp.	Bates Nos. 7040-7133 – AG Edwards Expense Account & Receipts 2003	1207
07-06-09	23 rd Supp.	Bates Nos. 7134-7176 – 2003 Expense Atty (Red Folder)	1207
07-06-09	23 rd Supp.	Bates Nos. 7177-7262 – AG Edwards Expense Account & Receipts 2004	1207
07-06-09	23 rd Supp.	Bates Nos. 7263-7292 – Excessive Spending Receipts 2004	1207
07-06-09	23 rd Supp.	Bates Nos. 7293-7422 – National Bank Account 0247 2004 Statements	1207
07-06-09	23 rd Supp.	Bates Nos. 7423-7430 – National Bank Account 1894 2007 Statements	1207
07-06-09	23 rd Supp.	Bates Nos. 7431-7489 – UBS UX 90895 DB Statements	1207
07-06-09	23 rd Supp.	Bates Nos. 7490-7503 – UBS UX	1207

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		90882 SD Statements 2004	
07-06-09	23 rd Supp.	Bates Nos. 7504-7525 – UBS UX 90882 SD Statements 2006	1207
07-06-09	23 rd Supp.	Bates Nos. 7526-7551 – UBS UX 90882 SD Statements 2007	1207
07-06-09	23 rd Supp.	Bates Nos. 7552-7592 – Waste Receipts 2004	1207
07-06-09	23 rd Supp.	Bates No. 7593 – Letter from Young to Fruge dated 2/22/09	1206
07-06-09	23 rd Supp.	Bates Nos. 7594-7632 – Credit Report dated 2/12/08	1206
07-06-09	23 rd Supp.	Bates Nos. 7633-7680 – Deposition of Steve DeMocker in <i>Kennedy v. DeMocker</i> , dated 8/29/07	1206
07-06-09	23 rd Supp.	Bates Nos. 7681-7682 – Deposition Exhibit 1 – letter from Young to Fruge 7/27/09	1206
07-06-09	23 rd Supp.	Bates Nos. 7683-7690 – Deposition Exhibit 2 – Resp Aff of Financial Information	1206
07-06-09	23 rd Supp.	Bates Nos. 7691-7729 – Deposition Exhibit 3 – Financial Goal Analysis	1206
07-06-09	23 rd Supp.	Bates Nos. 7730-7735 – Deposition Exhibits 4-9 – spreadsheets	1206
07-06-09	23 rd Supp.	Bates Nos. 7736-7739 – Deposition Exhibit 11 – Resp Resolution Statement	1206
07-06-09	23 rd Supp.	Bates Nos. 7740-7754 – Respondent's Amended Affidavit of Financial Information in <i>Kennedy v. DeMocker</i>	1206
07-06-09	23 rd Supp.	Bates Nos. 7755-7756 – Equity Plus & Off Cycle EOP Spreadsheet	1206
07-06-09	23 rd Supp.	Bates Nos. 7757-7849 – 2007 Expenses	1206
07-06-09	23 rd Supp.	Bates Nos. 7850-8050 – 2006 Expenses	1206
07-06-09	23 rd Supp.	Bates Nos. 8051-8063 – Bank of America Visa 5856 – 2006	1206
07-06-09	23 rd Supp.	Bates Nos. 8064-8076 – Bank of America Visa 4516 – 2005	1206
07-06-09	23 rd Supp.	Bates Nos. 8077-8081 – Bank of	1206

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		America Mastercard 5585 – 2007	
07-06-09	23 rd Supp.	Bates Nos. 8082-8104 – Bank of America Mastercard 5585 – 2006	1206
07-06-09	23 rd Supp.	Bates Nos. 8105-8157 – Bank of America Mastercard 5585 – 2005	1206
07-06-09	23 rd Supp.	Bates Nos. 8158-8193 – Bank of America Mastercard – 2004	1206
07-06-09	23 rd Supp.	Bates Nos. 8194-8271 – National Bank Account 0247 2005 statements	1206
07-06-09	23 rd Supp.	Bates Nos. 8272-8276 – 2004 1098 Mortgage Interest statements	1204
07-06-09	23 rd Supp.	Bates Nos. 8277-8291 – 2004 Sch-K-1 UBS M2 Fund dated 4/8/05 (dupl.)	1204
07-06-09	23 rd Supp.	Bates Nos. 8293-8295 – Condo Settlement dated 05/21/04	1204
07-06-09	23 rd Supp.	Bates Nos. 8296-8297 – UBS Account UX908955SD 1099	1204
07-06-09	23 rd Supp.	Bates Nos. 8298-8315 – 2004 Sch-K-1 UBS Multi-Strat Fund dated 4/11/05	1204
07-06-09	23 rd Supp.	Bates Nos. 8316-8330 – 2004 Sch-K-1 UBS M2 Fund dated 4/8/05	1204
07-06-09	23 rd Supp.	Bates Nos. 8331-8334 – AG Edwards 1099 Account 9001 Corrected 2/14/05	1204
07-06-09	23 rd Supp.	Bates Nos. 8335-8338 – AG Edwards 1099 Account 9001 dated 1/7/05	1204
07-06-09	23 rd Supp.	Bates Nos. 8339-8342 – UBS Summary of Accounts dated Dec. 2004	1204
07-06-09	23 rd Supp.	Bates Nos. 8343-8344 – UBS Account UX90986SD Year End Summary 2004	1204
07-06-09	23 rd Supp.	Bates Nos. 8345-8346 – UBS Account UX90986SD Dec. 2004	1204
07-06-09	23 rd Supp.	Bates Nos. 8347-8348 – UBS Account UX90895SD Year End Summary 2004	1204
07-06-09	23 rd Supp.	Bates Nos. 8349-8354 – UBS Account UX90895SD Dec. 2004	1204
07-06-09	23 rd Supp.	Bates Nos. 8355-8356 – UBS 1099 Account UX90896SC	1204
07-06-09	23 rd Supp.	Bates Nos. 8357-8358 – Seligman	1204

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		Account 6966 Year End statement 2004	
07-06-09	23 rd Supp.	Bates Nos. 8359-8360 – AG Edwards Account 9001 Summary 12/31/04	1204
07-06-09	23 rd Supp.	Bates Nos. 8362-8365 – AG Edwards Account 4001 10/03/04-12/31/04	1204
07-06-09	23 rd Supp.	Bates Nos. 8366-8368 – 2005 1040	1204
07-06-09	23 rd Supp.	Bates Nos. 8369-8379 – 2005 W-2s	1204
07-06-09	23 rd Supp.	Bates Nos. 8380-8408 – 2004 Tax Return Schedules – Forms	1204
07-06-09	23 rd Supp.	Bates Nos. 8409-8425 – 2004 Form 1040X	1204
07-06-09	23 rd Supp.	Bates Nos. 8426-8427 – 2004 1040	1204
07-06-09	23 rd Supp.	Bates Nos. 8428-8430 – 2004 1040 with W-2 Summary	1204
07-06-09	23 rd Supp.	Bates Nos. 8431-8432 – 2004 AZ DOR 1099G	1204
07-06-09	23 rd Supp.	Bates Nos. 8433-8453 – 2003 tax returns & W-2s	1204
07-06-09	23 rd Supp.	Bates Nos. 8454-8464 – 2004 tax organizer – C. DeMocker	1204
07-06-09	23 rd Supp.	Bates Nos. 8465-8475 – 2004 tax organizer – K. DeMocker	1204
07-06-09	23 rd Supp.	Bates Nos. 8476-8477 – UBS Account UX90900SD 1099	1204
07-06-09	23 rd Supp.	Bates Nos. 8478-8479 – UBS Account UX90899SD 1099	1204
07-06-09	23 rd Supp.	Bates Nos. 8480-8483 – UBS Account UX90899SD Dec 2004	1204
07-06-09	23 rd Supp.	Bates Nos. 8484-8487 – UBS Account UX90900SD Dec 2004	1204
07-06-09	23 rd Supp.	Bates Nos. 8488-8505 – C. DeMocker 2003 Tax Return	1204
07-06-09	23 rd Supp.	Bates Nos. 8506-8514 – K. DeMocker 2003 Tax Return	1204
07-06-09	23 rd Supp.	Bates Nos. 8515-8516 – AG Edwards 6496 Earnings Statements	1204
07-06-09	23 rd Supp.	Bates Nos. 8517-8518 – AG Edwards 6495 Earnings Statement	1204

Date Disclosed	Disclosure Supplement	Description	Evidence Item
07-06-09	23 rd Supp.	Bates Nos. 8519-8520 – AG Edwards 9494 Earnings Statement	1204
07-06-09	23 rd Supp.	Bates Nos. 8525-8540 – Camelback Square Lease Agreement 9/23/04	1204
07-06-09	23 rd Supp.	Bates Nos. 8541-8542 – SRP Statement 12/21/04	1204
07-06-09	23 rd Supp.	Bates Nos. 8543-8564 – 2002 Tax Return	1204
07-06-09	23 rd Supp.	Bates Nos. 8565-8579 – 2006 Tax Return	1204
07-06-09	23 rd Supp.	Bates Nos. 8581-8610 – UBS Financial Goal Analysis dated 3/4/05	1204
07-06-09	23 rd Supp.	Bates Nos. 8611-8659 – Carol & Steve Current Allocation	1204
07-06-09	23 rd Supp.	Bates Nos. 8660-8677 – Misc. Financial Statements	1204
07-06-09	23 rd Supp.	Bates Nos. 8678-8681 – Amended Stipulated Temporary Orders	1204
07-06-09	23 rd Supp.	Bates Nos. 8682-8699 – 2004 Sch-K-1 UBS Multi-Strat Fund dated 4/11/05	1203
07-06-09	23 rd Supp.	Bates Nos. 8700-8714 – 2004 Sch-K-1 UBS M2 Fund dated 4/8/05	1203
07-06-09	23 rd Supp.	Bates Nos. 8715-8740 – Quicken Report 02/19/03-03/12/05	1203
07-06-09	23 rd Supp.	Bates Nos. 8741-8783 – Incomplete Quicken Payee Report 2004	1203
07-06-09	23 rd Supp.	Bates Nos. 8784-8787 – 401K to IRA Rollover Statements 2004	1203
07-06-09	23 rd Supp.	Bates Nos. 8789-8836 – UBS Account UX90892DB Statements June 06-Nov07	1203
07-06-09	23 rd Supp.	Bates Nos. 8837-8838 – UBS Account UX90895SD 1099	1203
07-06-09	23 rd Supp.	Bates Nos. 8839-8842 – UBS Account UX90896DB Statement Jan 2007	1203
07-06-09	23 rd Supp.	Bates Nos. 8843-8845 – UBS Account UX90896DB Statement Sept 2007	1203
07-06-09	23 rd Supp.	Bates Nos. 8846-8981 – Nat'l Bank	1203

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		Account 0247 2003 Statements	
07-06-09	23 rd Supp.	Bates Nos. 8982-8987 – Letter from Young to Fruge	1203
07-06-09	23 rd Supp.	Bates Nos. 8988-8991 – MBNA Mastercard 5585 8/4/04	1203
07-06-09	23 rd Supp.	Bates Nos. 8992-8995 – AG Edwards 1099 Account 9001 dated 01/07/05	1203
07-06-09	23 rd Supp.	Bates Nos. 8996-8999 – AG Edwards 1099 Account 9001 dated 02/14/05	1203
07-06-09	23 rd Supp.	Bates Nos. 9000-9008 – Handwritten Notes	1203
07-06-09	23 rd Supp.	Bates Nos. 9009-9010 – Letter from Fruge to Young	1203
07-06-09	23 rd Supp.	Bates Nos. 9011-9013 – Casalena Retention Contract	1203
07-06-09	23 rd Supp.	Bates Nos. 9015-9025 – UBS HR Benefits Report	1202
07-06-09	23 rd Supp.	Bates Nos. 9026-9028 – IRS Form 8886 Protective Disclosure Statement	1202
07-06-09	23 rd Supp.	Bates Nos. 9029-9041 – Investment Account Summaries: April-May 2007	1202
07-06-09	23 rd Supp.	Bates Nos. 9042-9045 – UBS Account UX90892DB March 2007 Statement	1202
07-06-09	23 rd Supp.	Bates Nos. 9046-9050 – UBS Account X8103201 March 2007 Statement	1202
07-06-09	23 rd Supp.	Bates Nos. 9051-9052 – 401K Plan Plus YTD Summary 2007	1202
07-06-09	23 rd Supp.	Bates Nos. 9053-9062 – UBS Stock Plan Summary 2006-2007	1202
07-06-09	23 rd Supp.	Bates Nos. 9065-9068 – UBS Account UX90892 Asset Allocation 8/23/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9069-9072 – UBS Account UX90895 Asset Allocation 8/23/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9073-9074 – UBS Account UX90896 Asset Allocation 8/23/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9075-9077 – UBS Account UX90900 Asset Allocation 8/23/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9078-9080 – UBS Account	1202

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		UX80899 Asset Allocation 8/23/05	
07-06-09	23 rd Supp.	Bates Nos. 9081-9084 – UBS Account UX96293 Asset Allocation 8/23/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9085-9088 – UBS Account UX90892, UX90895, UX90896, UX96293 Asset Allocation 8/23/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9089-9090 – UBS Recognition Club July 2005	1202
07-06-09	23 rd Supp.	Bates Nos. 9091-9096 – Sch-K-1 UBS Multi-Strat Fund dated 4/11/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9097-9103 – Sch-K-1 UBS M2 Fund dated 4/8/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9104-9108 – Nat'l Bank of AZ Cash Flow 1/1/04-6/15/05	1202
07-06-09	23 rd Supp.	Bates Nos. 9109-9110 – Casalena – Materials Available and Needed List	1202
07-06-09	23 rd Supp.	Bates Nos. 9111-9113 – Email Casalena/Young dated 3/27/08	1202
07-06-09	23 rd Supp.	Bates Nos. 9114-9116 – Casalena Billing Statement	1202
07-06-09	23 rd Supp.	Bates Nos. 9117-9119 – Letter – Casalena request for additional retainer 3/7/08	1202
07-06-09	23 rd Supp.	Bates Nos. 9120-9149 – Casalena Report	1202
07-06-09	23 rd Supp.	Bates Nos. 9150-9172 – Amended Separate Pretrial Stmt D020070217	1202
07-06-09	23 rd Supp.	Bates Nos. 9173-9177 – Draft of Revised Preliminary Draft – Casalena	1202
07-06-09	23 rd Supp.	Bates Nos. 9181-9182 – Letter – Fruge to Young 12/05/07	1202
07-06-09	23 rd Supp.	Bates Nos. 9183-9184 – Letter – Young to Fruge 02/11/08	1202
07-06-09	23 rd Supp.	Bates Nos. 9186-9188 – Email – Equitable Distribution Document	1202
07-06-09	23 rd Supp.	Bates Nos. 9191-9198 – Miscellaneous Documents	1202
07-06-09	23 rd Supp.	Bates Nos. 9199-9200 – Miscellaneous	1202

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		Notes	
07-06-09	23 rd Supp.	Bates Nos. 9201-9202 – Nat'l Bank of AZ Account 0247 Transaction Spreadsheet	1202
07-06-09	23 rd Supp.	Bates Nos. 9203-9204 – Spousal Maintenance – Child Support Worksheet	1202
07-06-09	23 rd Supp.	Bates Nos. 9205-9214 – UBS Financial Advisor Compensation	1202
07-06-09	23 rd Supp.	Bates Nos. 9215-9220 – 2007 Online Statement 6835	1201
07-06-09	23 rd Supp.	Bates Nos. 9221-9239 – 2006-2007 Online Statements 7385	1201
07-06-09	23 rd Supp.	Bates Nos. 9240-9258 – Nat'l Bank of AZ Account 1894 Statement 3/5/07-12/31/07	1201
07-06-09	23 rd Supp.	Bates Nos. 9259-9274 – Nat'l Bank of AZ Account 9145 Statement 3/16/07-11/16/07	1201
07-06-09	23 rd Supp.	Bates Nos. 9275-9297 – Nat'l Bank of AZ Account 0247 Statement 2/9/07-8/9/07	1201
07-06-09	23 rd Supp.	Bates Nos. 9298-9351 – Bank of America Account 6848 2007 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9352-9360 – Mohela Loan – Occidental College Documents	1201
07-06-09	23 rd Supp.	Bates Nos. 9361-9363 – Register Report 1/3/05-8/3/05	1201
07-06-09	23 rd Supp.	Bates Nos. 9364-9374 – Bank of America Visa Account 4516 2005 Jan – Aug Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9375-9387 – Bank of America Visa Account 4516 2004 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9388-9399 – Bank of America Visa Account 4516 2003 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9400-9405 – Bank of	1201

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		America Visa Account 4516 2002 Statements	
07-06-09	23 rd Supp.	Bates Nos. 9406-9416 – Bank of America Visa Account 4516 Feb-Dec 2001 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9417-9434 – Bank of America Visa Account 4920 April-Dec 2007 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9435-9445 – Bank of America Visa Account 5856 Incomplete 2006 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9446-9449 – Bank of America Visa Account 5856 Aug-Nov 2005 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9450-9461 – Bank of America Visa Account 5856 Incomplete 01-03 2007 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9463-9464 – Bank of America Account 5585 Feb 2007 Statement	1201
07-06-09	23 rd Supp.	Bates Nos. 9465-9468 – Bank of America Visa Account 5585 Dec 2006 Statement	1201
07-06-09	23 rd Supp.	Bates Nos. 9469-9498 – Bank of America Visa Account 5585 Jan-Dec 2006 Statements	1201
07-06-09	23d Supp.	Bates Nos. 9499-9500 – Bank of America Visa Account 5585 May 2004 Statement	1201
07-06-09	23 rd Supp.	Bates Nos. 9501-9510 – Bank of America Visa Account 5585 2003 Year End Summary	1201
07-06-09	23 rd Supp.	Bates Nos. 9511-9538 – Bank of America Visa Account 5585 Jan-Oct 2003 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9539-9540 – Bank of America Visa Account 5585 Dec 2002 Statement	1201

Date Disclosed	Disclosure Supplement	Description	Evidence Item
07-06-09	23 rd Supp.	Bates Nos. 9543-9564 – Chase Account 9408 11/06-9/07 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9565-9581 – Chase Account 9408 Statements, letters and notes	1201
07-06-09	23 rd Supp.	Bates Nos. 9582-9583 – Bank of America Visa Account 5856 Mailer	1201
07-06-09	23 rd Supp.	Bates Nos. 9584-9603 – Misc documents	1201
07-06-09	23 rd Supp.	Bates Nos. 9604-9613 – Nat'l City Equity Credit Line Statement May-Dec 2007	1201
07-06-09	23 rd Supp.	Bates Nos. 9615-9616 – AG Edwards Stock Option Information	1201
07-06-09	23 rd Supp.	Bates Nos. 9617-9642 – M&I Account 6708 Multi-Year Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9643-9673 – M&I Account 0493 Statements – Various Dates	1201
07-06-09	23 rd Supp.	Bates Nos. 9674-9681 – Provident funding Loan docs	1201
07-06-09	23 rd Supp.	Bates Nos. 9682-9684 – WaMu Account 2663 Townhouse – 1 st Mortgage	1201
07-06-09	23 rd Supp.	Bates Nos. 9685-9689 – WaMu Account 2663 Loan docs	1201
07-06-09	23 rd Supp.	Bates Nos. 9690-9723 – Misc. docs re: settlement offers	1201
07-06-09	23 rd Supp.	Bates Nos. 9724-9761 – 2007 Earning Statements	1201
07-06-09	23 rd Supp.	Bates No. 9762- 2006 Earning Statement	1201
07-06-09	23 rd Supp.	Bates Nos. 9763-9783 – 2005 Earning Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9784-9788 – 2004 Earning Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9789-9869 – AMEX Account 1005 2007 Statements	1201
07-06-09	23 rd Supp.	Bates Nos. 9870-9907 – UBS Visa Account 4848 Sept 06-Dec 07	1201

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		Statements	
07-06-09	23 rd Supp.	Bates Nos. 9908-9909 – letter from Young to Fruge re: doc delivery 1/8/08	1201
07-06-09	23 rd Supp.	Bates No. 9910 – letter from Young to Fruge re: book of business 9/18/07	1201
07-06-09	23 rd Supp.	Bates Nos. 9911-9912 – letter from Young to Fruge re: Respondent's Disclosure	1201
07-06-09	23 rd Supp.	Bates Nos. 9913-9923 – ELF 2 Memo/Promissory Note dated 12/5/06	1201
07-06-09	23 rd Supp.	Bates Nos. 9924-9926 – UBS Letter of Understanding 8/13/04	1201
07-06-09	23 rd Supp.	Bates Nos. 9927-9929 – CNN Money.com article re: AG Edwards	1201
07-06-09	23 rd Supp.	Bates No. 9930 – DeMocker Deposition corrections	1201
07-06-09	23 rd Supp.	Bates No. 9931 – ELF Loan 1 Statement	1201
07-06-09	23 rd Supp.	Bates No. 9932 – Index Book 1	1201
07-06-09	23 rd Supp.	Bates Nos. 9933-9940 – Respondent's Affidavit of Financial Responsibility	1201
07-06-09	23 rd Supp.	Bates Nos. 9941-9948 – Respondent's Affidavit of Financial Information	1201
07-06-09	23 rd Supp.	Bates Nos. 9949-9951 – UBS Account Reassignment Policy	1201
07-06-09	23 rd Supp.	Bates Nos. 9952-9961 – UBS memo re: ELF 6938 9/14/04	1201
07-06-09	23 rd Supp.	Bates Nos. 9962-9968 – Casalena letter – not sent	1200
07-06-09	23 rd Supp.	Bates Nos. 9969-9998 – Casalena report dated 5/27/08	1200
07-06-09	23 rd Supp.	Bates Nos. 9999-10055 – Casalena emails	1200
07-06-09	23 rd Supp.	Bates Nos. 10056-10174 – Carol's emails	1200
07-09-09	23 rd Supp.	1134 Hanning 104 – Storage Unit	RR
07-09-09	23 rd Supp.	Photos – Golf Club	1506 SS
07-09-09	23 rd Supp.	Unit 104 photos – Storage Unit	PP

Date Disclosed	Disclosure Supplement	Description	Evidence Item
07-09-09	23 rd Supp.	Unit G4 photos – Storage Unit	QQ
07-17-09	24 th Supp.	Bates Nos. 10175-10176 – YCSO Evidence Logs	
07-17-09	24 th Supp.	Bates No. 10177 – YCSO Photograph Log	
07-17-09	24 th Supp.	Bates No. 10178 – DPS Reports – Serology – golf head cover – K. Snider	
07-17-09	24 th Supp.	Bates Nos. 10179-10180 – DPS Reports – DNA – K. Snider	
07-17-09	24 th Supp.	Bates Nos. 10182-10214 – Carol Kennedy's journal	1503
07-17-09	24 th Supp.	Bates Nos. 10215-10219 – YCSO DR 08-029129 photograph logs	
07-28-09	25 th Supp.	Bates Nos. 10220 - YCSO DR 08-029129 evidence log	
07-28-09	25 th Supp.	Bates Nos. 10221-10234 – Search Warrant 20090701SW	
07-28-09	25 th Supp.	Bates No. 10235 – Email from Mike Dow re SH III 7	
07-28-09	25 th Supp.	Bates Nos. 10236-10242 – CV of William R. Kiviat	
07-30-09	26 th Supp.	Bates Nos. 10243-10370 – Steve DeMocker's criminal and medical files from Yavapai County Jail	
08-03-09	27 th Supp.	Bates Nos. 10371-10387 – Third Preliminary Draft report by John Casalena dated 4-30-08	
08-03-09	27 th Supp.	Bates Nos. 10388-10417 – 5-27-08 report by John Casalena	
08-03-09	27 th Supp.	Bates Nos. 10418-10419 – 12-5-07 letter to Anna Young	
08-03-09	27 th Supp.	Bates Nos. 10420-10428 – 1-24-08 letter from John Casalena to Carol Kennedy	
08-03-09	27 th Supp.	Bates Nos. 10429-10430 – 2-4-08 email string – John Casalena and Robert Fruge	
08-03-09	27 th Supp.	Bates Nos. 10431-10435 - Preliminary	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		Rough Draft report by John Casalena dated 2-4-08	
08-03-09	27 th Supp.	Bates Nos. 10436 – notes dated 2-6-08	
08-03-09	27 th Supp.	Bates Nos. 10437-10442 – Email from Carol Kennedy dated 3-1-08	
08-03-09	27 th Supp.	Bates Nos. 10443-10447 – 2-22-08 letter from Anna Young to Robert Fruge	
08-03-09	27 th Supp.	Bates Nos. 10448-10450 – Email string – John Casalena and Carol Kennedy dated 3-4-08	
08-03-09	27 th Supp.	Bates Nos. 10451-10452 - notes dated 3-5-08	
08-03-09	27 th Supp.	Bates Nos. 10453-10455 - Email to Carol Kennedy dated 3-5-08	
08-03-09	27 th Supp.	Bates Nos. 10456-10457 – Materials Available and Needed dated 3-5-08	
08-03-09	27 th Supp.	Bates No. 10458 - Email from John Casalena to Carol Kennedy dated 3-6-08	
08-03-09	27 th Supp.	Bates No. 10459 - Email from John Casalena to Robert Fruge and Carol Kennedy dated 3-7-08	
08-03-09	27 th Supp.	Bates Nos. 10460-10461 – 3-7-08 letter from John Casalena to Robert Fruge	
08-03-09	27 th Supp.	Bates Nos. 10462-10473 – Second Preliminary Rough Draft dated 3-6-08	
08-03-09	27 th Supp.	Bates Nos. 10474-10475 - Email from Carol Kennedy dated 6-30-08	
08-03-09	27 th Supp.	Bates Nos. 10476-10478 - Email to Carol Kennedy dated 6-30-08	
08-03-09	27 th Supp.	Bates Nos. 10479-10485 – 5-29-08 letter to Fruge	
08-03-09	27 th Supp.	Bates No. 10486 - Email to Carol Kennedy dated 5-28-08	
08-03-09	27 th Supp.	Bates Nos. 10487-10488 - Email to Carol Kennedy dated 5-28-08	
08-03-09	27 th Supp.	Bates Nos. 10489-10490 - Email to Carol Kennedy dated 5-28-08	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
08-03-09	27 th Supp.	Bates No. 10491 - Email to Carol Kennedy dated 5-28-08	
08-03-09	27 th Supp.	Bates No. 10492 – Undated list	
08-03-09	27 th Supp.	Bates Nos. 10493-10494 - Email to Carol Kennedy dated 5-18-08	
08-03-09	27 th Supp.	Bates Nos. 10495-10499 – Various email correspondence	
08-03-09	27 th Supp.	Bates Nos. 10500-10502 - Email to Carol Kennedy dated 4-3-08	
08-03-09	27 th Supp.	Bates Nos. 10503-10509 - Email to Carol Kennedy dated 3-12-08	
08-03-09	27 th Supp.	Bates Nos. 10510-10511 - Email to Carol Kennedy dated 3-9-08	
08-03-09	27 th Supp.	Bates Nos. 10512-10513 - Email to Carol Kennedy dated 3-7-08	
08-03-09	27 th Supp.	Bates Nos. 10514-10516 - Email to Anna Young dated 3-27-08	
08-03-09	27 th Supp.	Bates Nos. 10517-10520 – Email to Fruge dated 5-27-08	
08-03-09	27 th Supp.	Bates Nos. 10521-10522 – Schedule F	
08-03-09	27 th Supp.	Bates Nos. 10523-10525 – Memo re Inventory of Material dated 3-27-08	
08-03-09	27 th Supp.	Bates No. 10526 - Email to Anna Young dated 3-27-08	
08-03-09	27 th Supp.	Bates Nos. 10527-10529 – List of documents to be subpoenaed from UBS dated 4-2-08	
08-03-09	27 th Supp.	Bates Nos. 10530-10534 – Letter from Anna Young dated 4-29-08	
08-03-09	27 th Supp.	Bates No. 10535 - Email to Fruge dated 4-4-08	
08-03-09	27 th Supp.	Bates Nos. 10536-10540 – Draft of Revised Preliminary Draft report by John Casalena dated 4-30-08	
08-03-09	27 th Supp.	Bates No. 10541 - Email to Fruge dated 5-27-08	
08-03-09	27 th Supp.	Bates Nos. 10542-10543 - Email to Carol Kennedy dated 5-28-08	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
08-03-09	27 th Supp.	Bates Nos. 10544-10546 – Invoice dated 7-14-09	
08-07-09	---	Interview with John Casalena	5011
9-23-09	28 th Supp.	Bates Nos. 10547-10548 – YCSO DR 08-029129 Evidence Log	
9-23-09	28 th Supp.	Bates Nos. 10549-10550 – Curriculum Vitae of Richard Echols	
9-23-09	28 th Supp.	Bates Nos. 10551-10564 – YCAO Supplemental Report by Randy Schmidt dated 9-3-09	
9-23-09	28 th Supp.	Bates Nos. 10565 – Iron Springs Plaza Self Storage Rental Agreement	
9-23-09	28 th Supp.	Bates Nos. 10566 – Letter to Mike Dow (Callaway Legal Department) from J. McDormett	
9-23-09	28 th Supp.	Bates Nos. 10567-10569 – Letter from Custodian of Records, Bank of America	
9-23-09	28 th Supp.	Bates Nos. 10570-10579 – Response to subpoena dated August 20, 2009 - Enterprise	
9-25-09	29 th Supp.	Bates Nos. 10580-10595 – YCSO Involvements and Evidence List	
9-25-09	29 th Supp.	Bates Nos. 10596-10598 – YCSO Supplements 103, 104	
9-29-09	30 th Supp.	Bates Nos. 10599 – YCSO Supplemental Draft by J. McDormett	
9-29-09	31 st Supp.	Bates Nos. 10600-10603 – RMIN Report by Richard Echols	
9-30-09	32 nd Supp.	No materials produced. Names one new witness.	
10-1-09	33 rd Supp.	Bates Nos. 10604-10610 – Preliminary Case Review Report by Englert Forensic Consultants	
10-2-09	34 th Supp.	Bates Nos. 10611-10612 – Illumination Conditions Report – Kiviat Ltd.	

ATTACHMENT 2

**Materials Disclosed by the State After the October 2, 2009
Deadline Ordered by the Court**

Date Disclosed	Disclosure Supplement	Description	Evidence Item
10-5-09	35 th Supp.	Bates Nos. 10613-10628 - YCSO Involvements and Evidence List	
10-5-09	35 th Supp.	Bates Nos. 10629-10632 – YCSO Supplements 103, 104	
10-5-09	35 th Supp.	Bates Nos. 10633-10637 – YCAO Supplemental Report 2	
10-5-09	35 th Supp.	Bates Nos. 10638-10639 – YCSO N Dorm Spreadsheet	
10-8-09	36 th Supp.	Bates Nos. 10640-10821 – subpoena return for National Bank of Arizona in the name of Steven DeMocker	
10-8-09	36 th Supp.	Bates Nos. 10822-11097 –Cobra Folder	551
10-8-09	36 th Supp.	Bates Nos. 11098-11948 – documents from box	551
10-8-09	36 th Supp.	Bates Nos. 11949-12191 – gray binder – C. Wallace	551
10-8-09	36 th Supp.	Bates Nos. 12192-12295 –yellow envelope – Carol	551
10-8-09	36 th Supp.	Bates Nos. 12296-12301 –yellow envelope – Carol Kennedy	551
10-8-09	36 th Supp.	Bates Nos. 12302-12336 –small white binder – Casalena	551
10-8-09	36 th Supp.	Bates Nos. 12337-12529 –unlabeled gray binder	551
10-8-09	36 th Supp.	Bates Nos.12530-12951 –white binder – Fruge's cell	551
10-8-09	36 th Supp.	Bates Nos. 12952-13141 – response to defendant's 8/14/09 request re materials related to biological evidence – Kortney Snider (Northern Regional Crime Lab)	
10-8-09	36 th Supp.	Bates Nos. 13142-13158 – response to defendant's 8/14/09 request re materials related to biological evidence – Matthew Lovelace (Central Regional	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		Crime Lab)	
10-8-09	36 th Supp.	Bates Nos. 13159-13226 – response to defendant's 8/14/09 request re materials related to biological evidence – John Hoang (Central Regional Crime Lab)	
10-8-09	36 th Supp.	CD – 8/26/09 response to defendant's 8/14/09 request re materials related to biological evidence – Kortney Snider	3130
10-16-09	37 th Supp.	Bates No. 13227 – Evidence Log	
10-16-09	37 th Supp.	Bates No. 13228 – Photograph Log	
10-16-09	37 th Supp.	Bates No. 13229 – letter from Sears to Butner re defendant's counseling records	
10-16-09	37 th Supp.	Bates Nos. 13230-13233 – DOC printouts for inmate 111989, William Wildman	
10-16-09	37 th Supp.	CD – 10-12-09 interview with Elizabeth Minnard	
10-16-09	37 th Supp.	CD – photos by Detective Peterson (PPD)	XX
10-16-09	37 th Supp.	CD – James Knapp camera from Disk 1	UU
10-16-09	37 th Supp.	CD – James Knapp camera from Disk 2	VV
10-16-09	37 th Supp.	CD – DeMocker – telephone calls	6111
10-16-09	37 th Supp.	CD – DeMocker – telephone calls	6112 (3 CDs)
10-16-09	37 th Supp.	CD – DeMocker – telephone calls	6113
10-22-09	38 th Supp.	Bates Nos. 13234-13250 – YCSO Involvements and Evidence List	
10-22-09	38 th Supp.	Bates Nos. 13251-13264 – YCSO Supplements 107, 108	
10-22-09	38 th Supp.	CD – miscellaneous interviews	6119
11-3-09	39 th Supp.	Bates Nos. 13265-13281 – YCSO Involvements and Evidence List	
11-3-09	39 th Supp.	Bates Nos. 13282-13285 – YCSO Supplements 100, 102	
11-3-09	39 th Supp.	Bates Nos. 13286 – YCSO Evidence Log	
11-3-09	39 th Supp.	Bates Nos. 13287-13294 – 9-15-09 subpoena, Citibank	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
11-3-09	39 th Supp.	Bates Nos. 13295-13300 – Email between John McDormett and Mike Dow, Callaway Golf	
11-3-09	39 th Supp.	Bates Nos. 13301-13407 – Subpoena return for M&I Bank	
11-3-09	39 th Supp.	Bates Nos. 13408-13509 - Subpoena return for UBS Visa ending in 4848 – Barclay Bank	
11-3-09	39 th Supp.	Bates Nos. 13510-13852 - Subpoena return for AMEX accounts ending in 2007 and 1005	
11-3-09	39 th Supp.	Bates Nos. 13853-13861 – Retiring Financial Advisor Agreement (from Anna Young's files)	
11-3-09	39 th Supp.	Bates Nos. 13862-13866 – FBI General Assessment Questionnaire	
11-3-09	39 th Supp.	Bates Nos. 13867-13870 – YCSO Evidence Log	
11-3-09	39 th Supp.	Bates Nos. 13871-13872 – YRMC bone scan of Carol Kennedy	
11-3-09	39 th Supp.	Bates Nos. 13873-13923 – Emails between Jim Knapp and Doug Brown, 7-3-08 thru 12-7-08	
11-3-09	39 th Supp.	Bates Nos. 13924-13946 – packet of Safeway information and correspondence for Carol Kennedy's purchases on 7-2-08 and request for club card information	
11-3-09	39 th Supp.	Bates Nos. 13947-13961 – application, permit and plans for Bridle Path – 1995-1997 and 2002	
11-3-09	39 th Supp.	Bates Nos. 13962-13992 – packet from Jeff Weisel re flight to Philadelphia and phone rewards	
11-3-09	39 th Supp.	Bates Nos. 13993-14015 – Information booklet re Royal Oaks subdivision	
11-3-09	39 th Supp.	Bates Nos. 14016-14063 – Bicycle and Accessories catalog from Lazok	
11-3-09	39 th Supp.	Bates Nos. 14064-14067 – U-Haul logs	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
11-3-09	39 th Supp.	Bates Nos. 14068-14147 - Subpoena return from Chase Bank USA in the name of Carol Kennedy	
11-3-09	39 th Supp.	Bates Nos. 14148-14151 – transcript of 911 call by Ruth Kennedy, 7-2-08	
11-3-09	39 th Supp.	Bates Nos. 14152-14153 – transcript of request to conduct a welfare check on Carol Kennedy, 7-2-08	
11-3-09	39 th Supp.	Bates Nos. 14154-14174 – transcript of interview – Mascher and Jacob Janusek, 7-3-08	
11-3-09	39 th Supp.	Bates Nos. 14175-14182 – transcript of interview – – transcript of interview – Mascher, Jacob Janusek and Charlotte DeMocker, 7-3-08	
11-3-09	39 th Supp.	Bates Nos. 14183-14191 – transcript of interview – Huante, Rhodes, McDormett; Charlotte DeMocker, Katie DeMocker and Renee Girard, 10-23-08	
11-3-09	39 th Supp.	Bates Nos. 14192-14217 – transcript of interview – Doug Brown and Cynthia Wallace, 10-27-08	
11-3-09	39 th Supp.	Bates Nos. 14218-14224 – transcript of interview – Charlotte DeMocker, Susan DeMocker, Jim DeMocker, Doug Brown and John McDormett, 10-27-08	
11-3-09	39 th Supp.	Bates Nos. 14225-14293 – transcript of interview – Jacob Janusek, Jim Janusek, John McDormett and Doug Brown, 10-28-08	
11-3-09	39 th Supp.	Interview of Renee Girard	68
11-3-09	39 th Supp.	Interview of Jacob Janusek	70
11-3-09	39 th Supp.	Interview of Ann and Alec Knapp	81
11-3-09	39 th Supp.	Contact with Cynthia Wallace	6048
11-3-09	39 th Supp.	Interview of Jacob Janusek	6127 (2 CDs)
11-3-09	39 th Supp.	Alpine Meadows gate codes	6129
		Bates Nos. 014294- 014383 – 10-27-08 interview of Renee Girard by John	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		McDormett and Doug Brown	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14384-14434 – RMA checks	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14435-14442 – Payroll History	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14443-14451 – Deposited checks	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14452-14470 – Excel Expense Reimbursement Report – 2004 to present	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14471-14479 – Partner Plus	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14480-14483 - Wires	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14484-14488 – Statement for UBS Equity Plan	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14489-14514 – Personnel File 1	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14515-14588 – Personnel File 2	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14589 – Retiring FA Agreements	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 –	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		10-19-09) Bates Nos. 14590-14599 – PDF – “Retiring FA Agreement”	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14600-14612 – Transitioning Agreement	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14613-14625 – Transitioning Agreement - Advance	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14626-14638 – Transitioning FA Agreement	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14639-14651 – Transitioning FA Agreement – 2 yr #2	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14652-14665 – Transitioning FA Agreement – 2 yr – Advance	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14666-14853 – FA Comp 2004-2009	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14854-14874 - EFL	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14875-14888 – cancelled checks	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 14889 – statements for Stock Option Account SD 81032	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 –	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		10-19-09) Bates Nos. 14890-15016 – SD 81032 2006-03 to 2008-03	
11-24-09	40 th Supp.	Subpoena return – UBS (10-15-09 – 10-19-09) Bates Nos. 15017-15059 – SD 81032 2008-04 to 2008-09	
11-24-09	40 th Supp.	Bates Nos. 15060-15321 – YCSO Evidence Log Packet – front and back (includes chain of custody) – Evidence Items 1-6137	
11-24-09	40 th Supp.	Bates Nos. 15322-15324 – Accreditation documents from Sorenson Lab	
11-24-09	40 th Supp.	Bates Nos. 15325-15326 – DPS Reports – serology – Kortney Snider (victim's clothing)	
11-24-09	40 th Supp.	Bates Nos. 15327 – Return of search warrant (Amended) P1300SW200900031	
11-24-09	40 th Supp.	Bates Nos. 15328 – email between Keen and McDormett dated September 16, 2009	
11-24-09	40 th Supp.	Subpoena (dated 9-15-09) return – Bank of America Bates Nos. 15329-15337 – subpoena and correspondence	
11-24-09	40 th Supp.	Subpoena (dated 9-15-09) return – Bank of America Bates Nos. 15338-15520 – account ending in 5585	
11-24-09	40 th Supp.	Subpoena (dated 9-15-09) return – Bank of America Bates Nos. 15521-15623 – account ending in 3265	
11-24-09	40 th Supp.	Subpoena (dated 9-15-09) return – Bank of America Bates Nos. 15624-15745 – account ending in 5856	
11-24-09	40 th Supp.	Subpoena (dated 9-15-09) return – Bank	

Date Disclosed	Disclosure Supplement	Description	Evidence Item
		of America Bates Nos. 15746-15789 – account ending in 4516	
11-24-09	40 th Supp.	CD from Sorenson Lab – not in evidence – contains information re laboratory audit and accreditation	
11-24-09	40 th Supp.	CD – Interviews of Twila Graham, Sturgis Robinson and Richard Acu	6116
11-24-09	40 th Supp.	CD – Interview of Paul Ramos	6118
11-24-09	40 th Supp.	CD – Interview of Liz Minnard	6120
11-24-09	40 th Supp.	CD – DeMocker – telephone calls, August 16-27, 2009	6121 (2 of 3)
11-24-09	40 th Supp.	CD – DeMocker – telephone calls, August 28-30, 2009	6121 (3 of 3)
11-24-09	40 th Supp.	CD – DeMocker – telephone calls, September 1-15, 2009	6121
11-24-09	40 th Supp.	CD – DeMocker – telephone calls – September 15-30, 2009	6121
11-24-09	40 th Supp.	CD – DeMocker – telephone calls – September 1-15, 2009	6121
11-24-09	40 th Supp.	CD – Photos – Knapp's camera	6123 (3 CDs)
11-24-09	40 th Supp.	CD – Interview of John and Ruth Kennedy, 10-7-09	6124
11-24-09	40 th Supp.	CD – Interview of Dave Roy, 10/13/09	6125
11-24-09	40 th Supp.	CD – Interview of Dr. Keen, 9/21/09	6126

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